Congress; and John A. Fairlie, professor of administrative law, University of Michigan.

To indicate more definitely the scope of the organization and the wide range of its interests, mention may be made of the various sections to be established within the association. These will deal with (1) comparative legislation, embracing uniform legislation and publication, especially of indices and digests of statutes; (2) international law, including diplomacy; (3) constitutional law, including legislative procedure and political parties; (4) administrative law, including national, state, colonial and local administration; (5) historical jurisprudence; and (6) political theory.

It is provided in the constitution of the association that it "will not assume, as such, a partisan position upon any question of practical politics, nor commit its members to any position thereupon." Any person is eligible to membership upon the annual payment of three dollars, or to life membership, exempt from annual dues, upon the payment of fifty dollars.

THE BILL OF RIGHTS AND THE RIGHT TO LABOR.—The freedom to follow one's lawful trade or calling is favored and protected by a public policy arising out of the very nature of our institutions. It is one form of the "pursuit of happiness." *Curran* v. *Galen*, 152 N. Y. 33. It is an incident to the ordinary citizenship secured by the common law. *Giblan* v. *National Amalgamated Labourers' Union* [1903], 2 K. B. 617, 620. And it is more. It is a clear property right, indefeasible and fundamental. The employer may be punished for seeking to fetter it,—I MICHIGAN LAW REVIEW, 142—the legislature cannot take it away, a trade union cannot destroy it. And the courts must protect it. An emphatic enunciation of these principles has been furnished by the Supreme Court of Pennsylvania in the late case of *Erdman* v. *Mitchell* (1903), 56 Atl. Rep. 327.

The facts disclose the peculiar situation of one union asking to enjoin another union. Plaintiffs are an incorporated union of journeymen plumbers. Defendants are members of an unincorporated association, known as the Council of Allied Building Trades, composed of delegates from different unions and having for its purpose the affiliation of all trades unions in the city of Philadelphia and of the world. Plaintiffs refused to join the defendants' organization and defendants adopted this procedure. While plaintiffs were engaged to work on a building under construction, defendants ordered a strike of all union men at work on the building who were connected with the Allied Trades Council. Two-thirds of those employed on the building quit work. The condition for calling off the strike was the removal of the plaintiffs. The contractors in order to protect themselves yielded. Plaintiffs were informed that this course would be pursued until they joined a union member of defendants. Being unable to obtain steady employment, plaintiffs pray to restrain defendants from interfering with their work.

In Pennsylvania, as in several other states, the common law offense of conspiracy has been practically abolished as regards labor combinations. See TIEDEMAN, STATE AND FEDERAL CONTROL OF PERSONS AND PROPERTY, p. 422; and *Mayer* v. *Journeymen Stone Cutters' Ass'n*, 47 N. J. E. 519. The court, however, held while the acts complained of were not subject to indictment they were unlawful; that where the constitution guaranteed, among

others, the right to acquire, possess, and to protect property and to pursue happiness, the courts must protect them; that the free use of his hands is the workman's property of which the legislature cannot deprive him and which the regulations of trades unions cannot take away.

The court said: "Trades unions may cease to work, for reasons satisfactory to their members; but if they combine to prevent others from obtaining work by threats of a strike, or combine to prevent an employer from employing others by threats of a strike, they combine to accomplish an unlawful purpose —a purpose as unlawful now as it ever was—though not punishable by indictment. Such combination is a despotic and tyrranical violation of the indefeasible right of labor to acquire property, which the courts are bound to restrain. It is utterly subversive of the letter and spirit of the Declaration of Rights. If such combination be in accord with the law of the trades union, then that law and the organic law of the people of a free commonwealth cannot stand together. One or the other must go down." The injunction was granted.

In England in a case decided about two months before the date of the principal case, it was held that a right of action for damages as well as a right to apply for injunction belonged to a workman who was prevented by a union from obtaining employment merely to coerce him to pay a debt which he owed to the union. *Giblan* v. *Amalgamated Labourers' Union* [1903],2. K. B. 600. See also, *United States* v. *Weber* (1902),114 Fed. R. 950.

RIGHT TO IMPEACH THE CONSIDERATION OF A JUDGMENT RENDERED IN ANOTHER STATE.—The Supreme Court of Mississippi in *Lum* v. *Fauntleroy*, 80 Miss. 757, 32 South Rep. 290, 92 Am. St. Rep. 620, refuses to recognize and apply the principle that the validity of a claim upon which a judgment has been rendered in a sister state upon due service of process, is established by such judgment and cannot afterwards be questioned by defendant in a suit upon the judgment in another jurisdiction, where the claim out of which the judgment grew, arose from a gambling transaction. In this case the action was upon a judgment rendered in Missouri upon personal service of process while the defendant was temporarily within the jurisdiction of the court. The immoral contract upon which the judgment was based was pleaded in defense. The trial court, disregarding the plea, gave judgment for the plaintiff. The Supreme Court in reversing the judgment said: "Until the Supreme Court of the United States shall expressly so declare we will not hold that a contract condemned by our civil and criminal laws as immoral and which the courts of this state are prohibited from enforcing, is sanctified and purged of its illegality by a judgment rendered in another state against a citizen of this state, sued and served with process on being found temporarily in the jurisdiction of the court, so that in a suit here on such judgment the illegal character of the cause of action, may not be inquired into. There are decisions of the Supreme Court which seem to hold that it is not allowable to go behind the judgment for the purpose of examining into the validity of the claim, but we are unwilling to believe that it will ever be held that a court is precluded by the constitution of the United States from ascertaining whether the claim on which a judgment is rendered in another state is such a one as the courts of the state in which suit on the judgment is brought, on the